

an item described in subsection (b) if the item is not grown, reprocessed, reused, or produced in the United States.

“(b) COVERED ITEMS.—An item referred to in subsection (a) is any of the following:

“(1) An article or item of—

“(A) food;

“(B) clothing;

“(C) tents, tarpaulins, or covers;

“(D) cotton and other natural fiber products, woven silk or woven silk blends, spun silk yarn for cartridge cloth, synthetic fabric or coated synthetic fabric (including all textile fibers and yarns that are for use in such fabrics), canvas products, or wool (whether in the form of fiber or yarn or contained in fabrics, materials, or manufactured articles); or

“(E) any item of individual equipment manufactured from or containing such fibers, yarns, fabrics, or materials.

“(2) Specialty metals, including stainless steel flatware.

“(3) Hand or measuring tools.

“(c) AVAILABILITY EXCEPTION.—Subsection (a) does not apply to the extent that the Secretary determines that satisfactory quality and sufficient quantity of any such article or item described in subsection (b)(1) or specialty metals (including stainless steel flatware) grown, reprocessed, reused, or produced in the United States cannot be produced as and when needed at United States market prices.

“(d) EXCEPTION FOR CERTAIN PROCUREMENTS.—Subsection (a) does not apply to the following:

“(1) Procurements by vessels in foreign waters.

“(2) Emergency procurements or procurements of perishable foods by an establishment located outside the United States for the personnel attached to such establishment.

“(3) Procurements of any item listed in subsection (b)(1)(A), (b)(2), or (b)(3) for which the use of procedures other than competitive procedures has been approved on the basis of section 303(c)(2) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)(2)), relating to unusual and compelling urgency of need.

“(e) EXCEPTION FOR SPECIALTY METALS AND CHEMICAL WARFARE PROTECTIVE CLOTHING.—Subsection (a) does not preclude the procure-

ment of specialty metals or chemical warfare protective clothing produced outside the United States if—

“(1) such procurement is necessary—

“(A) to comply with agreements with foreign governments requiring the United States to purchase supplies from foreign sources for the purposes of offsetting sales made by the United States Government or United States firms under approved programs serving defense requirements; or

“(B) in furtherance of agreements with foreign governments in which both such governments agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country; and

“(2) any such agreement with a foreign government complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with section 2457 of title 10, United States Code.

“(f) EXCEPTIONS FOR CERTAIN OTHER COMMODITIES AND ITEMS.—Subsection (a) does not preclude the procurement of the following:

“(1) Foods manufactured or processed in the United States.

“(2) Waste and byproducts of cotton and wool fiber for use in the production of propellants and explosives.

“(g) EXCEPTION FOR SMALL PURCHASES.—Subsection (a) does not apply to purchases for amounts not greater than the simplified acquisition threshold referred to in section 2304(g) of title 10, United States Code.

“(h) APPLICABILITY TO CONTRACTS AND SUBCONTRACTS FOR PROCUREMENT OF COMMERCIAL ITEMS.—This section is applicable to contracts and subcontracts for the procurement of commercial items notwithstanding section 34 of the Office of Federal Procurement Policy Act (41 U.S.C. 430).”.

H.R. 1817

OFFERED BY: MR. MANZULLO

AMENDMENT No. 2: At the end of title V, add the following new section:

**SEC. 509. BUY AMERICAN REQUIREMENT FOR PROCUREMENTS OF GOODS CONTAINING COMPONENTS.**

(a) REQUIREMENT.—Notwithstanding any agreement described in subsection (b), more than 50 percent of the components in any end product procured by the Department of Homeland Security that contains compo-

nents shall be mined, produced, or manufactured inside the United States.

(b) AGREEMENTS DESCRIBED.—An agreement referred to in subsection (a) is any of the following:

(1) Any reciprocal procurement memorandum of understanding between the United States and a foreign country pursuant to which the Secretary of Homeland Security has prospectively waived the Buy American Act (41 U.S.C. 10a et seq.) for certain products in that country.

(2) Any international agreement to which the United States is a party.

H.R. 2361

OFFERED BY: MR. FLAKE

AMENDMENT No. 2: Page 6, line 13, after the dollar amount, insert the following: “(decreased by \$3,817,000)”.

Page 12, line 17, after the dollar amount, insert the following: “(decreased by \$14,937,000)”.

Page 24, line 1, after the dollar amount, insert the following: “(decreased by \$9,421,000)”.

Page 80, line 3, after the dollar amount, insert the following: “(decreased by \$15,000,000)”.

Page 45, line 16, after the dollar amount, insert the following: “(increased by \$15,000,000)”.

H.R. 2361

OFFERED BY: MR. GARRETT OF NEW JERSEY

AMENDMENT No. 3: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 Federal employees at any single conference occurring outside the United States.

H.R. 2361

OFFERED BY: MR. TERRY

AMENDMENT No. 4: In the item relating to “ENVIRONMENTAL PROTECTION AGENCY—SCIENCE AND TECHNOLOGY”, after the second dollar amount, insert the following: “(reduced by \$130,000,000)”.

In the item relating to “ENVIRONMENTAL PROTECTION AGENCY—HAZARDOUS SUBSTANCE SUPERFUND”, after the second dollar amount, insert the following: “(increased by \$130,000,000)”.